

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

U.S.A. vs. Allen Lee Wilkins

Docket No. 2:11-CR-21-1BO

Petition for Action on Supervised Release

COMES NOW Tuell Waters, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Allen Lee Wilkins, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute Cocaine Base and Cocaine in violation of 21 U.S.C. § 846, was sentenced in the Eastern District of Virginia by the Honorable J. Calvitt Clarke, Jr., U.S. District Judge, on March 19, 1998, to the custody of the Bureau of Prisons for a term of 236 months. On July 7, 2008, U.S. District Judge Raymond A. Jackson reduced the original sentence to 123 months pursuant to the Retroactive Application of the Sentencing Guidelines. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall repay the person who during the years defendant is incarcerated provides financial support for his children while they are minors, under such terms and conditions as probation officer deems proper and appropriate.

Allen Lee Wilkins was released from custody on July 17, 2008, at which time the term of supervised release commenced. Jurisdiction was transferred to the Eastern District of North Carolina effective May 26, 2011.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On April 10, 2010, the defendant was charged with Driving While Intoxicated in Pasquotank County, North Carolina, after registering an alcohol content of 0.08. Subsequently, a violation report was submitted to the Eastern District of Virginia. On April 4, 2011, Wilkins was found guilty as charged and appealed the conviction to superior court. On August 23, 2011, the appeal to superior court was withdraw and the Driving While Intoxicated conviction was remanded back to district court. The defendant accepted responsibility for his poor decision and has expressed remorse for his actions. It is, therefore, respectfully recommended that the conditions of supervision be modified to add alcohol abstinence and two days of intermittent confinement. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

Allen Lee Wilkins
Docket No. 2:11-CR-21-1BO
Petition For Action
Page 2

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be intermittently confined in the custody of the Bureau of Prisons for a period not to exceed 2 days, as arranged by the U.S. Probation Office, and shall abide by all rules and regulations of the designated facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Senior U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: February 17, 2012

ORDER OF COURT

Considered and ordered this 21 day of February, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge